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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,775	01/14/2004	Rodney J. Y. Ho	2606-3342-4557PT	5476
34395	7590	10/02/2007		
OLYMPIC PATENT WORKS PLLC P.O. BOX 4277 SEATTLE, WA 98104			EXAMINER RAMACHANDRAN, UMAMAHESWARI	
			ART UNIT 1617	PAPER NUMBER
			MAIL DATE 10/02/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/757,775

Examiner

Umamaheswari
Ramachandran

Applicant(s)

HO ET AL.

Art Unit

1617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 19 July 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
See Continuation sheet

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable


SREENI PADMANABHAN
SUPERVISORY PATENT EXAMINER
Telephone No.

Continuation of 5 Other: Applicant was required to elect a group and a species from the group elected in the Restriction/Election requirement Office Action dated 2/26/2007. Applicants have responded to the Restriction/Election requirement (4/30/2007) by electing a group (Group I, claims 1-17). However, Applicant is required to elect a species (see page 5, lines 9-10 in the office Action dated 2/26/2007). Applicant is required to elect a species of drug molecule (example indinavir) and a species of lipid molecule (example cholesterol). Applicant responded to the Notice of Non-compliance dated 6/15/2007 as follows:

electing 1) an anti-HIV drug, including HIV protease inhibitors, examples of which are indinavir, saquinavir, and nelfinavir, and reverse transcriptase inhibitors, such as tenofovir disoproxil fumarate

and (2) lipid species, and further elect, as a lipid species, phosphatidylcholine and cholesterol dissolved in ethanol.

Applicant elected a genus of HIV protease inhibitors as the anti-HIV drug and the applicant is required to elect a sub species, a single compound for example indinavir. Applicant has not elected any single compound but has given examples for HIV protease inhibitors and reverse transcriptase inhibitors. For the lipid species applicants elect phosphatidyl choline and cholesterol. Applicant is required to elect one single compound or one single sub species of the lipid molecule (example, cholesterol).

Applicant is given one month to respond to this notice from the mailing date